

**MINUTES OF THE
EXECUTIVE OFFICES & CRIMINAL JUSTICE
JOINT APPROPRIATIONS SUBCOMMITTEE
Room 220, Senate Building, Utah State Capitol Complex
February 2, 2009**

Members Present: Sen. Jon J. Greiner, Co-Chair
Rep. Eric K. Hutchings, Co-Chair
Pres. Michael G. Waddoups
Sen. Scott D. McCoy
Rep. Douglas C. Aagard
Rep. Richard A. Greenwood
Rep. Steven R. Mascaro
Rep. Curtis Oda
Rep. Jennifer M. Seelig
Rep. Larry B. Wiley

Staff Present: Gary Ricks, Fiscal Analyst
Gary Syphus, Fiscal Analyst
Carrie Griffith, Committee Secretary

Note: A list of visitors and a copy of handouts are filed with the committee minutes.

Sen. Greiner called the meeting to order at 2:23 p.m.

Gary Ricks, Fiscal Analyst, stated that since the Legislature had passed H.B. 3 earlier in the day, he and Gary Syphus, Fiscal Analyst, would go through the Bill line by line and detail proposed budget reductions that would directly affect agencies and departments within the Subcommittee. He mentioned these numbers focus on the \$350 million FY 2009 budget shortfall. The Analysts provided a "backup" sheet to help better understand the bill.

It was noted that the DJJS Receiving Center, which was originally on the sheet, is no longer listed.

Dan Becker, State Court Administrator, responded to questions regarding the closure of the Bountiful Courthouse, stating it was not an economically sound decision to close the facility. They have worked out an agreement with Bountiful City to enable the Court to remain open at this time by delaying their lease payments until FY 2011.

The Analysts answered questions raised by Subcommittee members.

Sandy Naegle, Fiscal Manager, provided and explained a handout detailing reasons for granting non-lapsing status. An in-depth discussion ensued regarding lapsing and non-lapsing status. Ms. Naegle asked that the Subcommittee consider reinstating non-lapsing authority for the coming year.

Mr. Ricks mentioned three areas of importance for the Subcommittee to consider during the voting process: (1) Intent Language, (2) Federal Funds Report, and (3) Fees, both non-statutory and statutory.

MOTION: Rep. Mascaro moved to ask Executive Appropriations to restore non-lapsing authority to all elected officials, department and agencies.

SUBSTITUTE

MOTION: Rep. Hutchings moved that before non-lapsing authority was given back, the Intent Language should be written out so it would be relevant to specific language and intent of each department and agency.

Rep. Mascaro withdrew his motion.

The Subcommittee was asked to look at the Federal Funds Request Summary, which was provided at the beginning of the meeting. Mr. Ricks invited the various agencies to stop forward and address the Subcommittee about these funding items.

Corrections

Tom Patterson, Executive Director, explained the State Criminal Alien Assistance Program, the Walsh Act Implementation Program and Jail Contracting. He responded to questions raised by Subcommittee members.

Attorney General

Werner Haidenthaller, Budget Director, stated that grants are a unique, one-time situation and that's the reason the amounts are different each year. The Office anticipates that the FY 2010 budget is fairly accurate.

Courts

Dan Becker, State Administrator, explained the Court Improvement Grant, stating Congress set it up 15 years ago in handling improvements in foster care. He stated it is an ongoing program funded by Congress. Costs rose by \$60,000 last year and the Courts will be applying for funding in that amount this year.

Governor's Office and Commission on Criminal and Juvenile Justice (CCJJ)

Sandy Naegle, Fiscal Manager Governor's Office, and Dave Walsh, Budget Analyst CCJJ, commented that they will work with the Analysts to get Intent Language for all the agencies.

Juvenile Justice

Dan Maldonado, Director, said he doesn't foresee any big issues with any of the Funds for the Agency.

Department of Public Safety

Joe Brown, Administrative Services Director, stated that he didn't see anything of special concern. He responded to questions regarding REAL ID.

Other Business

Tom Patterson discussed education and its benefit to prisoners in qualifying them to get a job when they are released. He answered questions relating to education, substance abuse treatments and recidivism rates.

MOTION: Rep. Oda moved to adjourn.

Sen. Greiner adjourned the meeting at 4:19 p.m.

Sen. Jon J. Greiner, Co-Chair

Rep. Eric K. Hutchings, Co-Chair